



Department of Planning, Housing, & Community Development

Mayor, Richard C. David
Director, Jennie Skeadas-Sherry

STAFF REPORT

TO: Zoning Board of Appeals Members
FROM: Planning, Housing and Community Development
DATE: 20 May 2014
SUBJECT: 96 Front Street; Series A Site Plan Review
TAX ID: 160.40-1-34
CASE: 2014-20
COPIES: B. Seachrist, T. Costello, T. Rennia (District 3), File

A. REVIEW REQUESTED

The applicant has submitted an application to construct a second story addition to an existing restaurant. The property is located in the C-1, Service Commercial District. Although a Full-Service Restaurant is permitted by right in the C-1 District, per Section 410-36 (A), all new construction requires Series A Site Plan Review.

B. STANDARDS FOR APPROVAL OF SITE PLANS

Listed below are the *Standards for approval of site plans* found in Article IX of the Zoning Ordinance. In reviewing a Series A Site Plan application, the Planning Commission is guided by the existing characteristics and conditions of the site, its surroundings, and the particular requirements of the Applicant. Elements of concern include, but are not limited to the following:

- Movement of vehicles and people
- Public safety
- Off-street parking and service
- Lot size, density, setbacks, building size, coverage and height
- Landscaping, site drainage, buffering, views or visual character
- Signs, site lighting
- Operational characteristics
- Architectural features, materials and colors
- Compatibility with general character of neighborhood
- Other considerations that may reasonably be related to health, safety, and general welfare

C. ADDITIONAL REVIEWS

The expansion of the restaurant would provide seating accommodations for 45 more customers and would employ 5 more staff members during peak hours. This would require the provision of 17 new parking spaces. The applicant has proposed the addition of 0 parking spaces, and therefore requires an area variance. The applicant will appear before the Zoning Board of Appeals on June 3rd.

D. SITE REVIEW

96 Front Street is located near the southeast corner of the Main Street and Front Street intersection. The existing restaurant has two levels and rises one story above street grade. The proposed addition will be constructed on the rear of the existing street-grade section of the building, above the lower level. This will result in no change to the existing footprint. The property has a frontage of 24 feet and a depth of 178 feet. The property is located in the C-1 Service Commercial District.

Land use in the vicinity of 96 Front Street is predominately commercial. There are several fraternity houses and multi-unit dwellings on the upper stories of nearby properties. Commercial uses in the area include the Binghamton Club, The Valet Shop, McDevitt & McManus Funeral Home. Binghamton High School is located a half block west of the subject property.

E. PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY

96 Front Street: On December 7, 2010, an area variance was granted to the applicant for minimum off-street parking.

F. ENVIRONMENTAL IMPACT

The applicant's proposal is a SEQR **UNLISTED** Action. The Planning Commission may be the lead agency to determine any environmental significance.

Motion to determine what type of action:

- a. Type I
- b. Type II
- c. **Unlisted**
2. Determine Lead Agency and other involved agencies.
3. Motion to schedule a public hearing.
4. After the Public Hearing, Determination of Significance. (See EAS Part 2 & Part 3)

	NO, OR SMALL IMPACT MAY OCCUR	MODERATE TO LARGE IMPACT MAY OCCUR
Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	X	
Will the proposed action result in a change in the use or intensity of use of land?	X	
Will the proposed action impair the character or quality of the existing community?	X	
Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	

Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	X	
Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
Will the proposed action impact existing: A. public / private water supplies? B. public / private wastewater treatment utilities?	X	
Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	
Will the proposed action result in an increase in the potential for erosion, flooding or drainage Problems?	X	
Will the proposed action create a hazard to environmental resources or human health?	X	

G. STAFF FINDINGS

The Planning Commission must determine if the requirements of Section 410-47 for a Series A Site Plan Review have been met.

H. ENCLOSURES

Enclosed are copies of the floor plan, the application and site photos.